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7 Attorneys for Defendant

8  
9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 SUSAN MITCHELL,

12 Plaintiff,

13 v.

14 ANDREW SAUL,<sup>1</sup>  
Commissioner of Social Security,

15 Defendant.

)  
)  
) Case No. 2:19-cv-00903-JAD-EJY  
)

16 **STIPULATION AND ~~PROPOSED~~ ORDER**  
**FOR EXTENSION OF TIME FOR**  
**DEFENDANT TO FILE OPPOSITION TO**  
**PLAINTIFF'S MOTION FOR REMAND**

17 IT IS HEREBY STIPULATED, by and between the parties, through their respective  
18 counsel of record, that Defendant shall have an extension of time of 35 days to file his opposition  
19 to Plaintiff's motion for remand, from January 9, 2020, to February 13, 2020.

20 This is the second continuance in this case and the first continuance sought by Defendant.  
21 There is good cause for this request. Around the time of filing of Plaintiff's opening motion for  
22 remand or reversal, Defendant's counsel had multiple unanticipated district court matters and  
23 substantive non-court matters arise and require immediate attention, some of which required  
24 involved time-sensitive and ongoing settlement negotiations. Furthermore, on and around the

25 <sup>1</sup> Andrew Saul is now the Commissioner of Social Security and is automatically substituted as a  
26 party pursuant to Fed. R. Civ. P. 25(d). *See also* section 205(g) of the Social Security Act, 42  
U.S.C. § 405 (g) (action survives regardless of any change in the person occupying the office of  
Commissioner of Social Security).

1 original due date of January 9, 2020, counsel has competing deadlines of at least six district court  
2 matters, along with other substantive non-court matters, within the week. Furthermore, Counsel  
3 also has at least 15 district court matters scheduled between January 9, 2020, to February 13, 2020,  
4 some of which have been previously extended by other plaintiffs or Defendant. Additional time  
5 is required to review the record in this case, to evaluate the issues raised in Plaintiff's opening  
6 motion, to determine whether options exist for settlement, and if not, to prepare Defendant's  
7 response to Plaintiff's motion.

8 Thus, Defendant is respectfully requesting that, with this Court's approval, the Court's  
9 scheduling order shall be extended by 35 days, so that Defendant may file his opposition to  
10 Plaintiff's motion for remand on or before February 13, 2020. This request is made in good faith  
11 with no intention to unduly delay the proceedings.

12 Respectfully submitted,

13 Dated: December 18, 2019

LAW OFFICES OF LAWRENCE D. ROHLFING

14 /s/ Cyrus Safa

15 (as authorized via e-mail on 12/16/2019)

16 CYRUS SAFA

Attorneys for Plaintiff

17 Dated: December 18, 2019

NICHOLAS A. TRUTANICH

18 United States Attorney

19 /s/ Carolyn B. Chen

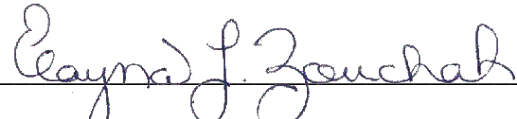
CAROLYN B. CHEN

20 Special Assistant United States Attorney

21 ORDER

22  
23 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

24 DATED: December 19, 2019



25 HON. ELAYNA J. YOUCHAH

26 UNITED STATE MAGISTRATE JUDGE